

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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SEAN RODNEY ORTH,

Petitioner,

v.

WARDEN, HDSP, *et al.*,

Respondents.

Case No. 3:15-cv-00131-MMD-VPC

ORDER

This action is a *pro se* petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254 by a Nevada state prisoner.

On April 28, 2016, respondents filed a motion to dismiss and exhibits in support of the same. (ECF Nos. 16-21.) Respondents have filed a motion explaining that the pending motion to dismiss and exhibits, which were sent to petitioner, were rejected by High Desert State Prison. Respondents seek an extension of time in which to send petitioner another copy of the pending motion to dismiss and exhibits. (ECF No. 25.) Respondents state that the motion and exhibits will be served on petitioner on May 23, 2016. Good cause appearing, the motion for an extension is granted, *nunc pro tunc*.

Petitioner has filed a motion seeking an extension of time in which to respond to the pending motion to dismiss, given the delay in his receipt of the motion and exhibits. (ECF No. 26.) Good cause appearing, petitioner's motion is granted.

It is therefore ordered that respondents' motion for an extension of time to serve petitioner with the pending motion to dismiss and supporting exhibits (ECF No. 25), is granted, *nunc pro nunc*. Within fifteen (15) days from the entry of this order,

1 respondents shall file a certificate of service indicating that petitioner was served with
2 the motion to dismiss and supporting exhibits.

3 It is further ordered that petitioner's motion for an extension to file a response to
4 the motion to dismiss (ECF No. 26) is granted. Petitioner's response shall be filed on or
5 before July 1, 2016.

6 DATED THIS 8th day of June 2016.

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9 MIRANDA M. DU
10 UNITED STATES DISTRICT JUDGE
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